

EASTERN DISTRICT OF TEXAS

Pursuant to 42 U.S.C. § 1997e(a), prison inmates are required to exhaust available administrative remedies before filing a lawsuit in federal court. As a result of this statute, the running of the period of limitations is tolled while an inmate is exhausting his administrative remedies. *Harris v. Hegmann*, 198 F.3d 153, 158 (5th Cir. 1999). However, plaintiff was released from prison before filing this lawsuit. As a result, neither the exhaustion requirement set

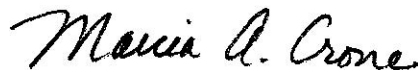
forth in Section 1997e(a), nor the tolling provided for in *Harris* apply. The magistrate judge therefore correctly concluded that most of plaintiff's claims were barred by the applicable statute of limitations.

With respect to the claim that a grievance was improperly rejected on November 4, 2009, the magistrate judge concluded a prison inmate did not have a constitutionally protected liberty interest in having a grievance considered and resolved to his satisfaction. That conclusion is correct. *Carter v. Brown*, 772 F. App'x 67, 69 (5th Cir. 2019) (citing *Geiger v. Jowers*, 404 F.3d 371, 373-74 (5th Cir. 2005)).

ORDER

Accordingly, the objections filed by plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 9th day of August, 2019.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE